

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

ORDER

- v. -

S6 15 Cr. 867 (RMB)

TÜRKİYE HALK BANKASI A.S.,
a/k/a “Halkbank,”

Defendant.

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<p>USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>10/23/19</u></p>
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WHEREAS a federal grand jury sitting in the Southern District of New York returned a superseding indictment against TÜRKİYE HALK BANKASI A.S., a/k/a “Halkbank” (referred to herein as “Halkbank”), which was filed on October 15, 2019 (the “Indictment”);

WHEREAS the Court issued a summons to Halkbank to appear before the Court for an arraignment on October 22, 2019, at 9:15 a.m. (the “First Summons”);

WHEREAS the law firm of King & Spalding LLP (“King & Spalding”) submitted a letter to the Court dated October 18, 2019, in which King & Spalding indicated that it had received the summons on October 16, 2019, and wrote that “[a]lthough King & Spalding has represented Halkbank in connection with the Department of Justice’s prior investigation regarding Halkbank, at no point has King & Spalding been authorized to accept service of a summons or other legal process on behalf of Halkbank” and “are not authorized to make an appearance in this case;”

WHEREAS the Court held a conference in this matter on October 22, 2019 (the “First Conference”), at which Halkbank did not appear, through counsel or otherwise;

WHEREAS, at the First Conference and in its letter dated October 22, 2019, the Government proffered to the Court, among other things, that:

1. On October 15, 2019, King & Spalding requested that the Department of Justice transmit a copy of the Indictment to King & Spalding, which the Government did that day;
2. On October 16, 2019, the Government sent a copy of the First Summons to King & Spalding and asked King & Spalding to confirm that it would accept service;
3. On October 16, 2019, Halkbank issued an Investor Relations disclosure acknowledging that Halkbank “has been informed that the U.S. Attorney’s Office for the Southern District of New York, under the U.S. Department of Justice, has taken the decision to engage in due process to prosecute the Bank based on an indictment,” denying the charges, and specifically referencing that Halkbank “retained the prestigious U.S. law firm King & Spalding” in connection with the investigation of those charges.
(Attached hereto as Exhibit A.)
4. On October 17, 2019, at King & Spalding’s request, the Government spoke with attorneys from King & Spalding. During that call, King & Spalding represented that it was discussing the summons with its client, Halkbank, but was not authorized to accept service or make an appearance on behalf of Halkbank, and that it would seek to adjourn the arraignment. King & Spalding also indicated that it could not state whether Halkbank would stipulate to any particular form of service.
5. According to publicly-reported statements, Halkbank’s majority shareholder, the Government of Turkey, has openly acknowledged the filing of the Indictment, including, among others, the following:

- a. On or about October 16, 2019, Turkish President Recep Tayyip Erdogan commented that “It had seemed like this issue was closed,” and that “Now, by opening it again, southern New York prosecutors have unfortunately taken an unlawful, ugly step.” (Attached hereto as Exhibit B.)
- b. On or about October 17, 2019, President Erdogan raised the subject of the Indictment with Vice President Michael Pence during meetings in Turkey. (Attached hereto as Exhibit C.)
- c. On or about October 20, 2019, Turkish Foreign Minister Mevlut Cavusoglu commented to the media that nothing would result from the instant case “if the law in the United States works.” (Attached hereto as Exhibit D.)

WHEREAS the Court finds, based on the foregoing, that, pursuant to Federal Rule of Criminal Procedure 4(c)(3)(D)(ii), which permits service of a summons on an organization not within a judicial district of the United States “by any other means that gives notice,” that the Government has properly served the First Summons and the Indictment on Halkbank, and

WHEREAS the Court finds that Halkbank has willfully and knowingly disobeyed the Court’s order in the First Summons to appear at the First Conference,

IT IS HEREBY ORDERED that, to afford Halkbank an opportunity to cure its noncompliance with the First Summons, the Court is issuing a second summons (the “Second Summons”) with this Order, directing Halkbank to appear for an arraignment in this matter on November 5, 2019 at 11:00 a.m. (the “Second Conference”);

IT IS FURTHER ORDERED that, the Government will serve this Order, the

Second Summons, and the Indictment on Halkbank as soon as practicable after the issuance of this Order, by means specified under Federal Rule of Criminal Procedure 4, including without limitation the following:

1. Delivery by mail, parcel service, or other common carrier to Halkbank's principal published business address;
2. Electronic transmission to King & Spalding;
3. Delivery to any registered agent of Halkbank in the United States.

IT IS FURTHER ORDERED that the Government's execution of any of these forms of service will constitute (additional) effective service of a summons and this Order. Should Halkbank fail for a second time to appear pursuant to the Second Summons, the Court will consider any appropriate sanctions for knowing and willful noncompliance.

SO ORDERED:

RMB

HONORABLE RICHARD M. BERMAN
UNITED STATES DISTRICT JUDGE

October 23, 2019

Date



GENEL MÜDÜRLÜK
FİNANSAL MUHASEBE DAİRE BAŞKANLIĞI

İÇSEL BİLGİLERE İLİŞKİN ÖZEL DURUM AÇIKLAMA FORMU

Ortaklığın Unvanı/Ortakların Adı : Türkiye Halk Bankası A.Ş.
Adresi : Barbaros Mah. Şebboy Sok. No:4/1 Ataşehir/İstanbul
Telefon ve Fax No : 0216 503 70 70 - 0212 340 93 99
E-posta adresi : halkbank.ir@halkbank.com.tr
Ortaklığın Yatırımcı/Pay Sahipleri ile
İlişkiler Biriminin Telefon-Faks No : 0216 503 54 50 – 0212 340 09 90
Tarih : 16.10.2019
Konu : ABD Adalet Bakanlığı New York Güney Bölge Savcılığı'nın
Bankamız Hakkında Düzenlediği İddianame

Açıklanacak Özel Durumlar: ABD Adalet Bakanlığı'na bağlı New York Güney Bölge Başsavcılığı tarafından Hakan Atilla davasında ileri sürülen iddialarla bağlantılı olarak bir iddianame hazırlanarak Bankamız hakkında dava açılmak üzere yargı sürecinin başlatıldığını öğrenmiş bulunuyoruz. Bu çerçevede, müşterilerimizin, yatırımcıların ve kamuoyunun doğru bilgilendirilmesi amacıyla aşağıdaki açıklamaların yapılması gerekli görülmüştür.

Bahse konu iddianamenin; yeni bir bilgi ve bulguya yer verilmeksizin, çoğunlukla Hakan Atilla davasında ileri sürülen iddiaları tekrarladığı ve bu davada ortaya konan girişimlerin Bankamız üzerinden tekrarlanmaya çalışıldığı görülmektedir. Söz konusu iddialara ilişkin Bankamız masumiyetini ortaya koyan bağımsız inceleme sonuçlarının, kanıtları ile birlikte ABD Adalet Bakanlığı ile paylaşılmasına rağmen iddianame hazırlanarak dava açılması manidardır.

Müteaddit defalar kamuoyuna yapılan açıklamalarımızda; Hakan Atilla davasında ileri sürülen iddialar ile bağlantılı olarak ABD'li yetkili kurumların Bankamızdan bilgi ve belge talebinde bulunduğu, Bankamızın da anılan kurumlar ile yakın iletişim ve işbirliği içerisinde olduğu, söz konusu bilgi ve belge taleplerinden ayrı olarak Bankamızın gönüllü bir bağımsız inceleme süreci başlattığı ifade edilmiştir.

ABD'nin saygın ve büyük hukuk firmalarından King & Spalding ile adli bilirkişi niteliğindeki veri analizi firması Exiger'a Bankamız tarafından gönüllü olarak yaptırılan bağımsız incelemede 6 milyondan fazla belge, 8 milyonun üstünde SWIFT mesajı, yaklaşık 36 GB işlem verisi, 140 bin işlem dosyası incelenmiştir. Bir yıllık süre zarfında yaklaşık 30 avukatın 25 bin saatin üzerinde mesai yaptığı bağımsız inceleme sonucunda Bankamızın ABD'nin İran'a yönelik birincil ve ikincil yaptırımları ihlal etmediği, dış ticaret işlemlerinde şeffaf olmayan uygulama ve metotlar kullanmadığı ve herhangi bir tertip ve kumpasın içerisinde bulunmadığı belgelenmiştir. Söz konusu firmalar, bu bulguları ABD Adalet Bakanlığı ile ABD Hazine Bakanlığına bağlı Yabancı Varlıkları Kontrol Ofisine (OFAC) bildirmiştir.

Bununla birlikte;

- (1) Bankamız ABD'nin ikincil yaptırımlarını herhangi bir şekilde ihlal etmemiş olmakla birlikte, Bankamızın ABD'de herhangi bir şubesi ve çalışanı bulunmadığından, ABD Adalet Bakanlığı'nın ikincil yaptırım kararları hakkında yargılama yetkisi yoktur. Buna rağmen

iddianame düzenlenmesi, tarihte bir ilk olmak üzere emsali görülmemiş bir hukuki yetki aşımıdır.

- (2) İddianamede, Hakan Atilla davasında da olduğu gibi, hukuk dışı yollarla elde edilen ve doğruluğu ispatlanmamış deliller kullanılmış, inanırlılığı hayli şüpheli olan tanıkların mahkemedeki sözlü beyanlarına itibar edilmiştir.
- (3) İddianamede ileri sürülen hususlar ile ilgili belge ve kanıtların önemli bir bölümü Halkbank tarafından kendilerine sunulduğu halde, Bankamızın masum olduğunu gösteren bu belge ve kanıtlar Savcılık tarafından yeterli düzeyde değerlendirmeye alınmamıştır. Ayrıca, müteaddit defalar tarafımızca talep edilmesine rağmen konu ile ilgili önemli tanıkların bilgisine de başvurulmamıştır.
- (4) Hakan Atilla davasına ait temyiz süreci devam etmekte olup, bu sürecin sonuçlanması beklenmeksizin dava süreci başlatılmıştır.
- (5) Bankamız ile ABD Adalet Bakanlığı arasında meselenin iddianame düzenlenmeden çözümlenmesi için yapılan görüşmeler sonuçlanmadığı halde, söz konusu suçlamalar, Kahraman Ordumuzun sınırlarımızın güvenliğini sağlamak ve bölgede barışı tesis etmek üzere başlattığı "Barış Pınarı Harekatı" sebebiyle, ABD hükümetince Ülkemize karşı başlatılan yaptırımların bir parçası olarak ortaya atılmıştır.

Bu haksız dava ile ilgili olarak uluslararası hukuktan kaynaklanan tüm yasal haklarımız kullanılacaktır. Ayrıca, dava süreci boyunca gerek yurtiçinde gerekse yurtdışında, Bankamızın güven ve itibarı ile finansal bünyesine zarar verecek nitelikte hareket edenler hakkında Bankacılık Kanunu ile uluslararası hukuktan kaynaklanan gerekli yasal süreçler başlatılarak maddi ve manevi tazminat haklarımız aranacaktır.

Bankamız, sermayesinin %51'i kamuya ait bir Banka olarak, kurumsal sorumluluklarının bilincinde bankacılık faaliyetlerini sürdürmekte olup, her türlü finansal yükümlülüğünü yerine getirecek güç ve kararlılıktadır. Bankamız, geçmiş dönemlerde karşılaştığı bütün güçlükleri nasıl aşıp, ülke kalkınmasına destek vermeye devam ettiyse, bundan böyle de aynı ruh ve inançla çalışmalarına devam edecektir. Müşterilerimizin de her zaman olduğu gibi, Bankamıza olan güvenini sürdüreceklerine ve Ülkemizin kalkınması ve gelişmesi için yürütmekte olduğumuz çalışmalara aynı inanç ve kararlılıkla destek olacaklarına inancımız tamdır.

Ülkemiz ekonomisine 81 yıldır hizmet sunan Bankamızın, faaliyetlerini geçmişte olduğu gibi bugün ve gelecekte de tüm ulusal ve uluslararası düzenlemelere uygun, güçlü, güvenilir ve kesintisiz bir şekilde sürdüreceğini kamuoyunun bilgisine sunarız.

Açıklamanın İngilizce versiyonuna aşağıda yer verilmektedir./ English version of the disclosure is stated below.

This Bank has been informed that the U.S. Attorney's Office for the Southern District of New York, under the U.S. Department of Justice, has taken the decision to engage in due process to prosecute the Bank based on an indictment related to the allegations made during the Atilla trial. The Bank has thus found it necessary to make the following explanations to furnish all clients, investors and general public with accurate information.

Absent any new findings, the indictment appears largely to repeat allegations used during the Atilla trial, retrying the same attacks against the Bank. It is rather significant that the U.S. Department of Justice's decision to indict comes despite the independent investigation findings demonstrating the Bank's innocence, which the Department received along with underlying evidence.

Per our past disclosures on numerous occasions, certain U.S. authorities have been asking Halkbank for records and information pertaining to allegations made during the Atilla trial, which led the

Bank to closely cooperate with these authorities and also initiate an independent investigation of its own on a voluntary basis.

The Bank had voluntarily retained the prestigious U.S. law firm King & Spalding, which then retained the forensic analysis firm Exiger, to conduct this independent internal investigation which encompassed 6+ million documents, 8+ million SWIFT messages, almost 36GB of transactional data and 140,000 underlying documents for review. Almost 30 lawyers put in around 25,000 hours over one year, and the review found that the Bank did not violate primary or secondary U.S. sanctions against Iran, and it did not employ non-transparent practices or methods in foreign trade transactions, nor was it involved in any scheme or conspiracy. These findings were reported by the two firms to the U.S. Department of Justice and the U.S. Department of Treasury's Office of Foreign Assets Control.

As such:

- (1) The Bank was not engaged in any secondary U.S. sanctions violations. Furthermore, since the bank does not have any branches or employees based in the USA, it falls outside the Department of Justice's jurisdiction. Therefore the decision to indict is an unprecedented legal overreach.
- (2) The indictment is based on illegally obtained, unauthenticated evidence previously presented in the Atilla case, and it relies heavily on unreliable testimony from witnesses who lack the necessary credibility.
- (3) The U.S. Attorney's Office has failed to adequately consider the information Halkbank provided that Office which included a substantial amount of highly relevant evidence pertaining to the allegations, which demonstrates the Bank's innocence, and it has further refused to interview key witnesses as proposed on multiple occasions by the Bank.
- (4) Hakan Atilla's appeal is still underway, and these charges have been filed before that appeal could come to a conclusion.
- (5) Despite the fact that the Bank's ongoing discussions with the U.S. Department of Justice to resolve this matter without indictment has not yet come to a conclusion, these were filed as part of the sanctions introduced against our country by the U.S. government in response to Operation Peace Spring, heroically launched by the Turkish Army to secure our borders and establish peace in the region.

The Bank will exert all legitimate rights against this unwarranted case under international law. We will most certainly avail ourselves of our rights to both pecuniary and nonpecuniary damages granted by the Banking Law and relevant international regulations against all those who, in an attempt to discredit the Bank and damage its financial composition, try to abuse the situation during the course of this case.

With 51% state-owned capital, Halkbank is highly aware of its corporate responsibility and carries out all banking operations accordingly, capable and determined to fulfill all financial liabilities. The Bank will carry on with the same spirit and conviction which always helped us overcome the past challenges and contribute to national development. We are fully convinced that our clients will continue to stand by us, never wavering in their commitment to support our efforts for the growth and improvement of this country.

We would like to reaffirm our commitment to perform banking operations in a firm, reliable, unwavering fashion and in full compliance to national and international regulations, honoring our 81 years of history in the service of the Turkish economy.

In case of any contradiction between the Turkish and English versions of this public disclosure, the Turkish version shall prevail.

Yukarıdaki açıklamalarımızın, Sermaye Piyasası Kurulu'nun yürürlükteki Özel Durumlar Tebliğinde yer alan esaslara uygun olduğunu, bu konuda/konularda tarafımıza ulaşan bilgileri tam olarak yansıttığını, bilgilerin defter, kayıt ve belgelerimize uygun olduğunu, konuyla ilgili bilgileri tam ve doğru olarak elde etmek için gerekli tüm çabaları gösterdiğimizi ve yapılan bu açıklamalardan sorumlu olduğumuzu beyan ederiz.

Saygılarımızla,

TÜRKİYE HALK BANKASI A.Ş.
GENEL MÜDÜRLÜĞÜ

10/22/2019

Erdogan attacks 'ugly' US decision on Turkey's Halkbank | Financial Times

EXHIBIT B

Turkish politics**Erdogan attacks 'ugly' US decision on Turkey's Halkbank**

Tensions run high ahead of US vice-president Mike Pence's visit to Ankara



Recep Tayyip Erdogan addressing Turkey's parliament in Ankara on Wednesday © AP

Laura Pitel in Ankara OCTOBER 16 2019

Turkey's president Recep Tayyip Erdogan has attacked an "ugly" decision by US prosecutors to file criminal charges against a Turkish state-owned bank as he warned that he would not be cowed by threats over his contentious incursion into Syria.

Speaking ahead of the arrival of Mike Pence, the US vice-president, in Ankara for talks aimed at halting the military operation, Mr Erdogan questioned the timing of the announcement by New York prosecutors that Halkbank would face six counts of bank fraud and conspiracy to evade US sanctions. "It had seemed like this issue was closed," he told reporters. "Now, by opening it again, southern New York prosecutors have unfortunately taken an unlawful, ugly step."

Mr Pence's visit, due to begin on Thursday, comes amid mounting tensions between the two countries over the Turkish decision to launch an offensive against Kurdish militias in north-east Syria. Ankara views the group's terrorists but Washington sees them as key allies in the battle against Isis jihadis in the region.

Donald Trump, the US president, appeared to give the green light for the operation when he announced last week that he would pull US troops in the region out of harm's way. But, facing a harsh backlash at home and abroad, he has sought to limit the Turkish offensive.

On Monday, as the US imposed sanctions on Turkey, Mr Trump warned that he would “aggressively use economic sanctions to target those who enable, facilitate and finance . . . heinous acts in Syria”.

Although the measures were milder than many had expected, Mr Trump said he was “fully prepared to swiftly destroy Turkey’s economy” if the country’s leaders continued on their “dangerous and destructive path” in Syria.

The Southern District of New York, which announced the prosecution against Halkbank, one of Turkey’s biggest lenders, is known for its independence. But the timing of the charges against it will be viewed with deep suspicion in Ankara.

Halkbank said in a statement that the charges were filed as part of the Trump administration’s sanctions package in response to Turkey’s military incursion, which the bank said had been “heroically launched by the Turkish Army to secure our borders and establish peace in the region”.

Members of Mr Pence’s delegation — which includes Mike Pompeo, secretary of state, and Robert O’Brien, the new White House national security adviser — will use meetings with their Turkish counterparts to push for an agreement to halt the Turkish offensive, his office said before the visit.


But Mr Erdogan warned ahead of the meeting that he had no interest in negotiating with Kurdish “terrorists”, adding that Turkey was “not looking for mediation for that”.



In a speech to the Turkish parliament, he vowed that Turkey would push on with his goal to clear Kurdish forces from a 32km deep and 480km stretch of land that runs from the town of Manbij, west of the Euphrates river, to the Iraqi border.

He called on Kurdish militias to “lay down their arms, leave their equipment, destroy the traps they have created and leave the safe zone we as designated, as of tonight”. He added: “If this is done, our Operation Peace Spring will end by itself.”

He warned that economic threats against Turkey would not succeed, invoking the story of the Ottoman triumph against Allied powers at the battle of Gallipoli. “We are the grandchildren of those at Canakkale [Gallipoli] who were so poor that they shared one cup of soup. We are the grandchildren of those who wrote that legend.”


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What you need to know

- **The latest:** Vice President Mike Pence said Turkey has agreed to a ceasefire in Syria.
- **The terms:** The Syrian Kurds/Syrian Democratic Forces (SDF) must dismantle their defensive fortifications and pull troops from the border to appease Turkey.
- **What this means for the US:** Pence said today the US will "continue to engage" in Syria, but "not militarily."



2:13 p.m. ET, October 17, 2019

Pence says Turkey raised Halkbank indictment after negotiations concluded

From CNN's Sarah Westwood


Vice President Mike Pence said the topic of Halkbank, the state-owned Turkish bank that was indicted Tuesday, came up during ceasefire talks with Turkish President Recep Tayyip Erdogan.

“

“When we concluded the negotiations, the topic was raised,” Pence said during a news conference in Ankara, Turkey. “We informed them that this was a matter for the Southern District of New York.”

CNN reported this week that Erdogan had previously urged President Trump in a phone call to drop a potential DOJ indictment into the state-owned Turkish bank Halkbank. Trump told Erdogan he would have his people look into it.

The US indicted Halkbank on Tuesday on charges related to evading sanctions on Iran.



2:20 p.m. ET, October 17, 2019

Pence: The US will "continue to engage" in Syria, but "not militarily"

From CNN's Nikki Cervino, Sarah Westwood and Matthew Hays



BUSINESS NEWS

OCTOBER 20, 2019 / 4:40 AM

Turkey says nothing will come of Halkbank case if law in U.S. works

ANKARA (Reuters) - Nothing will come of a case against Turkey's state-owned lender Halkbank "if the law in the United States works", Turkish Foreign Minister Mevlut Cavusoglu said on Sunday, adding that the case was politically motivated.

U.S. prosecutors on Tuesday charged Halkbank with taking part in a multi-billion-dollar scheme to evade U.S. sanctions on Iran.

Halkbank said the U.S. charges against it amounted to an escalation of Washington's sanctions on Ankara over its military incursion in Syria, while President Tayyip Erdogan called them an "unlawful, ugly" step.

Reporting by Tuvan Gumrukcu; Editing by Dale Hudson
Our Standards: The Thomson Reuters Trust Principles.

<https://www.reuters.com/article/us-usa-turkey-halkbank/turkey-says-nothing-will-come-of-halkbank-case-if-law-in-u-s-works-idUSKBN1WZ072>

AO 83 (Rev. 06/09) Summons in a Criminal Case

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America)

v.)

Türkiye Halk Bankası, A.Ş.,)
a/k/a "Halkbank")

Case No. S6 15 Cr. 867 (RMB)

Defendant)

SUMMONS IN A CRIMINAL CASE

YOU ARE SUMMONED to appear before the United States district court at the time, date, and place set forth below to answer to one or more offenses or violations based on the following document filed with the court:

- ☐ Indictment ☒ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of Court

Place: Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Courtroom No.: 17B

Date and Time: **NOVEMBER 5, 2019**
at 11 A.M.

This offense is briefly described as follows:

- (1) conspiring to obstruct the U.S. Department of the Treasury's administration of U.S. economic sanctions against the Islamic Republic of Iran, in violation of 18 U.S.C. § 371;
(2) conspiring to violate the International Emergency Economic Powers Act, in violation of 50 U.S.C. § 1705(c);
(3) bank fraud, in violation of 18 U.S.C. § 1344;
(4) conspiring to commit bank fraud, in violation of 18 U.S.C. § 1349;
(5) money laundering, in violation of 18 U.S.C. § 1956(a)(2)(A); and
(6) conspiring to commit money laundering, in violation of 18 U.S.C. § 1956(h)

Date:

October 23, 2019

Issuing officer's signature

Richard M. Berman, United States District Judge

Printed name and title

I declare under penalty of perjury that I have:

☐ Executed and returned this summons☐ Returned this summons unexecuted

Date:

Server's signature

Printed name and title

Case No. S6 15 Cr. 867 (RMB)

**This second page contains personal identifiers and therefore should
not be filed in court with the summons unless under seal.
(Not for Public Disclosure)**

INFORMATION FOR SERVICEName of defendant/offender: Türkiye Halk Bankasi, A.Ş., a/k/a "Halkbank"

Last known residence: _____

Usual place of abode (if different from residence address): _____

If the defendant is an organization, name(s) and address(es) of officer(s) or agent(s) legally authorized to receive service of process: _____

If the defendant is an organization, last known address within the district or principal place of business elsewhere in the United States: _____

PROOF OF SERVICE

This summons was received by me on (date) _____.

☐ I personally served the summons on this defendant _____ at
(place) _____ on (date) _____; or

☐ On (date) _____ I left the summons at the individual's residence or usual place of abode
with (name) _____, a person of suitable age and discretion who resides
there, and I mailed a copy to the individual's last known address; or

☐ I delivered a copy of the summons to (name of individual) _____,
who is authorized to receive service of process on behalf of (name of organization) _____
on (date) _____ and I mailed a copy to
the organizations's last known address within the district or to its principal place of business elsewhere in the
United States; or

☐ The summons was returned unexecuted because: _____

I declare under penalty of perjury that this information is true.

Date returned: _____

Server's signature_____
Printed name and title

Remarks: